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August 30, 2004

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RECEIVED** Art Unit 2634

AUG 31 2004

Re: U.S. Utility Patent Application  
Appl. No. 09/590,955; Filed: June 9, 2000  
For: **Phase Shifting Applications of Universal Frequency Translation**  
Inventors: Johnson *et al.*  
Our Ref: 1744.0710005

Technology Center 2600

Sir:

Transmitted herewith for appropriate action are the following documents:

1. SKGF Cover Letter;
2. Third Supplemental Information Disclosure Statement;
3. Form PTO-1449 with (6) accompanying documents; and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey T. Helvey  
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JTH/JEG/agj  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOHNSON *et al.*

Appl. No.: 09/590,955

Filed: June 9, 2000

For: **Phase Shifting Applications of  
Universal Frequency Translation**

Confirmation No.: 2387

Art Unit: 2634

Examiner: Odom, Curtis B.

Atty. Docket: 1744.0710005

**Third Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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AUG 31 2004

Technology Center 2600

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on December 23, 2003 in connection with the above-captioned application. This IDS is supplemental to an electronic IDS filed the same day. Any fee necessary for consideration of this IDS has been authorized or otherwise submitted with the electronic IDS.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AL23, AD56-AG56, and AO59 were cited in an Office Action in related U.S. Patent Application No. 09/669,634, filed September 26, 2000, entitled "High Frequency Translator and Method of High Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 6,049,706; 6,421,534; and 6,560,301, which have already been cited in the present application.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date

of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
  - ☒ c. Payment of the fee under 37 C.F.R. § 1.17(p) has already been made with an Electronic IDS filed today.
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a

communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

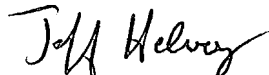
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of non-English language document AL23 appears below:  
Document AL23 (DE 196 48 915 A1) appears to describe a process of frequency conversion. An English-language translation of document AL23 is enclosed as document AO59.
- ☒ 7. Copies of the documents are enclosed.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey  
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Date: 8/30/07

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FORM PTO-1449  
THIRD SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

1744.0710005

APPLICATION NO.

09/590,955

INVENTORS

JOHNSON *et al.*

FILING DATE

June 9, 2000

ART UNIT

2634

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD56	5,955,992	09/1999	Shattil			
	AE56	5,999,561	12/1999	Naden <i>et al.</i>			
	AF56	6,686,879 B2	02/2004	Shattil			
	AG56	5,345,239	09/1994	Madni <i>et al.</i>			
	AH						
	AI						

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AUG 31 2004

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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL23	DE 196 48 915 A1	06/1998	DE			Yes (Doc. AO59)
	AM						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AN		
	AO	59	English Translation of German Patent Publication No. DE 196 48 915 A1, 10 pages.
	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.